

MAY 19 2006 PATENT
Attorney Docket No. VM7031422003
Varian No. 03-010US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hassan MOSTAFAVI

Serial No.: 10/656,063

Filed: September 5, 2003

For: SYSTEMS AND METHODS FOR
PROCESSING X-RAY IMAGES

Group Art Unit: 2882

Examiner: Hoon K. Song

Confirmation No. 8329

TERMINAL DISCLAIMER

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Varian Medical Systems Technologies, Inc. is the owner of all rights, title, and interest in and to the above-identified application (hereinafter, the "immediate application") pursuant to assignments recorded in the Patent and Trademark Office at Reel/Frame 014467/0280.

The evidentiary documents have been reviewed, and, as of the signing of this Terminal Disclaimer, to the best of assignee's and the undersigned's knowledge and belief, Varian Medical Systems Technologies, Inc. is still the owner of all such rights, title, and interest. Varian Medical Systems Technologies, Inc. hereby disclaims, except as provided below, the terminal part of any patent granted on the immediate application that would extend beyond the term of a U.S. Patent issued for U.S. Patent Application No. 10/655,920, and hereby agrees that any patent so granted on the immediate application shall be enforceable only for and during such period that the legal title to said patent granted on the immediate application shall be the same as the legal title to a U.S. Patent issued for U.S. Patent Application No. 10/655,920, and that this agreement is to run with any patent granted on the immediate application and be binding upon the grantee, its successors, and/or assigns.

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In making the above disclaimer, Varian Medical Systems Technologies, Inc. does not disclaim the terminal part of any patent granted on the immediate application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of a U.S. Patent issued for U.S. Patent Application No. 10/655,920 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. This disclaimer is applicable only to the extent that the claims in an eventually issued patent for U.S. Patent Application No. 10/655,920 are identical to those in the U.S. Patent Application No. 10/655,920 as of the date of this disclaimer.

I, Gerald Chan, of the law firm of Bingham McCutchen LLP, represent that I am a representative authorized to make this disclaimer on behalf of Varian Medical Systems Technologies, Inc.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
BINGHAM MCCUTCHEN LLP

Date: May 19, 2006

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